



AGENDA – Tuesday, April 18, 2016

6:00 Council Workshop

7:00 p.m. City Council Meeting

Long Beach City Hall

115 Bolstad Avenue West

6:00 p.m. WORKSHOP

WS 16-09

Long Beach Merchants SandSations Vendor Request – TAB A

7:00 p.m. CALL TO ORDER; PLEDGE OF ALLEGIANCE; AND ROLL CALL

Call to order

Mayor Phillips, Council Member Linhart, Council Member Caldwell,

And roll call

Council Member Murry, Council Member Hanson and Council Member Kemmer.

PUBLIC COMMENT

At this time, the Mayor will call for any comments from the public on any subject whether or not it is on the agenda for any item(s) the public may wish to bring forward and discuss. Preference will be given to those who must travel. **Please limit your comments to three minutes. The City Council does not take any action or make any decisions during public comment.** To request Council action during the Business portion of a Council meeting, contact the City Administrator at least one week in advance of a meeting.

CONSENT AGENDA – TAB B

All matters, which are listed within the consent section of the agenda, have been distributed to each member of the Long Beach City Council for reading and study. Items listed are considered routine by the Council and will be enacted with one motion unless a Council Member specifically requests it to be removed from the Consent Agenda to be considered separately. Staff recommends approval of the following items:

- Minutes, April 4, 2016 City Council Meeting.
- Payment Approval List for Warrant Registers 56188-56224 & 79575-79651 for \$349,989.31
- **AB 16-19 – Special User Permit 2016-02, Fireworks Stand - TAB C**
- **AB 16-20 – Resolution 2016-06 Council members in the Fire Department – TAB D**

BUSINESS

- **AB 16-21 – Skatepark Location Decision – TAB E**
- **Mayoral Proclamation acknowledging Benjamin Franklin – TAB F**

DEPARTMENT HEAD ORAL REPORTS

CORRESPONDENCE AND WRITTEN REPORTS – TAB G

- Long Beach Police Report for March 2016
- Long Beach Peninsula Visitor's Bureau Monthly Marketing Report for March 2016
- Correspondence – Stormy Gregoris regarding Pine Trees
- American Planning Association Sign of the Times article
- Business License – Thunder Bay Capital, LLC, Outside City Limits

FUTURE CITY COUNCIL MEETING SCHEDULE

The Regular City Council meetings are held the 1st and 3rd Monday of each month at 7:00 PM and may be preceded by a workshop.
May 2, 2016, May 16, 2016, June 6, 2016, June 20, 2016

ADJOURNMENT

American with Disabilities Act Notice: The City Council Meeting room is accessible to persons with disabilities. If you need assistance, contact the City Clerk at (360) 642-4421 or advise City Administrator at the meeting.

TAB - A



**CITY COUNCIL
WORKSHOP BILL
WS 16-09
Meeting Date: April 18, 2016**

AGENDA ITEM INFORMATION

***SUBJECT: SandSations
request for Vendors***

Originator:

Mayor

City Council

City Administrator

City Attorney

City Clerk

City Engineer

Community Development Director

Events Coordinator

Fire Chief

Police Chief

Streets/Parks/Drainage Supervisor

Water/Wastewater Supervisor

DG

COST: N/A

SUMMARY STATEMENT: The Long Beach Merchants Association is formally requesting that the city consider a Special Use Permit during SandSations to allow vendors similar to the Washington State International Kite Festival.

To:

City of Long Beach

Attn. David Glassen

From:

Karl Hintz

LBMA

David,

As requested by the City Council board, the LBMA voted and approved moving forward with plans to add vendors to the SandSations event, with the intention to emulate the success that the Kite Festival has with vendors during Kite Festival week.

It has since been suggested that the City Council may need a workshop to discuss this further (?), if so, please schedule another workshop & let me know when. This comes as a surprise to me, as I thought that our discussion was that a vote from the LBMA was all that was needed, and we were moving forward on that basis. So if there does indeed need to be another workshop, please schedule it as early as possible as the date of the event is fast approaching.

Thank you,

A handwritten signature in black ink, appearing to read 'Karl Hintz', with a large, sweeping flourish at the end.

Karl Hintz

President, LBMA

SandSations event chair

TAB - B

LONG BEACH CITY COUNCIL MEETING

April 4, 2016

WS 16-08 5:30 P.M. WORKSHOP- Familiarization Tour of Cedars and Best Western

CALL TO ORDER; PLEDGE OF ALLEGIANCE; ROLL CALL

Mayor Phillips called the meeting to order at 7:00 p.m. and asked for the Pledge of Allegiance and roll call.

ROLL CALL

David Glasson, City Administrator, called roll with Mayor Phillips, C. Caldwell, C. Linhart, C. Kemmer, and C. Hanson present. C. Murry was absent.

PUBLIC COMMENT

Lois Hanthow made a public comment.

CONSENT AGENDA

Minutes, March 21, 2016 City Council Meeting.

Payment Approval List for Warrant Registers 56162- 56187 & 79508 – 79574 for \$148,163.49

AB 16-16 Resolution 2016-05 Hazard Mitigation Plan approval

David Glasson, City Administrator, presented the Agenda Bill. Attached to this agenda bill is Resolution 2016-05, along with a memorandum from Scott McDougall, Deputy Director of Pacific County Emergency Management Agency. This resolution will allow the city to apply for hazard mitigation money whenever there is a Presidentially declared emergency that affects Pacific County. City staff is recommending council adopt Resolution 2016-05.

C. Linhart made the motion to approve the consent agenda, C. Hanson seconded the motion. 4 Ayes, motion passed.

BUSINESS

AB 16-17 Roofing Repair at City Shops

David Glasson, City Administrator, presented the Agenda Bill. The shop roof is leaking on the evidence room, and needs immediate repair. The item wasn't budgeted but needs to be completed. **C. Linhart made the motion to repair the city shop's leaky roof; C. Hanson seconded the motion; 4 Ayes, motion passed.**

AB 16-18 Postage System

David Glasson, City Administrator, presented the Agenda Bill. Pitney Bowes has been used for many years, however their contract is expiring. Staff reviewed options of Pitney Bowes, Neopost, and Vision direct mail and concluded that Neopost is the best fit for the city at this time. Neopost will also end up saving the city an estimated \$360 per year compared to what we have been paying the last five years.

C. Hanson made the motion to approve the agreement with Neopost; C. Linhart seconded the motion, 4 ayes. Motion passed.

CORRESPONDENCE AND WRITTEN REPORTS

- Sales& Lodging Tax Report for March 2016
- Events Coordinator Correspondence to Council
- Correspondence – Christina Pegg- Longview Housing Authority
- Business License – Rogue Management, Outside City Limits
- Business License – Emerald Coast Title, LLC- 408 Pacific Ave South #3

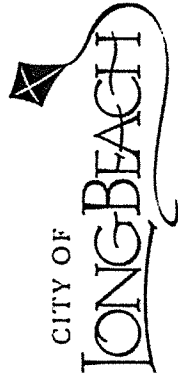
ADJOURNMENT

The Mayor adjourned the meeting at 7:13 p.m.

Mayor

ATTEST:

City Clerk



Warrant Register

Check Periods: 2016 - April - First

I, THE UNDERSIGNED DO HEREBY CERTIFY UNDER PENALTY OF PERJURY THAT THE MATERIALS HAVE BEEN FURNISHED, THE SERVICES RENDERED OR THE LABOR PERFORMED AS DESCRIBED HEREIN AND THAT THE CLAIM IS A JUST, DUE AND UNPAID OBLIGATION AGAINST THE CITY OF LONG BEACH, AND THAT I AM AUTHORIZED TO AUTHENTICATE AND CERTIFY TO SAID CLAIM.

Council Member	Council Member	Council Member	Clerk/Treasurer
56188	Bell, Helen S	4/5/2016	\$1,347.27
56189	Binion, Jacob	4/5/2016	\$1,561.09
56190	Bonney, Matthew T	4/5/2016	\$1,594.94
56191	Booi, Kristopher A	4/5/2016	\$1,349.98
56192	Caldwell, Tye J	4/5/2016	\$266.95
56193	Daulton, Alan T	4/5/2016	\$421.95
56194	Gilbertson, Bradley K	4/5/2016	\$1,468.82
56195	Goulter, John R.	4/5/2016	\$1,841.77
56196	Gray, Karen	4/5/2016	\$431.06
56197	Hanson, Natalie	4/5/2016	\$266.95
56198	Huff, Timothy M.	4/5/2016	\$1,584.67
56199	Kaino, Kris	4/5/2016	\$1,015.75
56200	Kemmer, Holli L	4/5/2016	\$266.95
56201	Linhart, Steven P	4/5/2016	\$266.95
56202	Luethe, Paul J	4/5/2016	\$1,424.12
56203	Mortenson, Tim	4/5/2016	\$1,954.80
56204	Murry, Del R	4/5/2016	\$266.95
56205	Padgett, Timothy J	4/5/2016	\$1,426.39
56206	Phillips, Gerald S	4/5/2016	\$436.65
56207	Quitner, Jonathan H	4/5/2016	\$958.30
56208	Russum, Richard	4/5/2016	\$1,183.68
56209	Warner, Ralph D.	4/5/2016	\$1,891.26
56210	Williams, David L	4/5/2016	\$184.60
56211	Wood, Matthew T	4/5/2016	\$945.08
56212	Wright, Flint R	4/5/2016	\$2,478.06
56213	Zuern, Donald D.	4/5/2016	\$2,054.94
56214	Simonson, Angela B	4/5/2016	\$515.66
56215	AFLAC	4/5/2016	\$450.10
56216	Association of WA Cities	4/5/2016	\$25,703.85

Number	Name	Print Date	Posting Date	Amount
56217	City of Long Beach - Fica	4/5/2016		\$11,139.76
56218	City of Long Beach - FWH	4/5/2016		\$8,079.12
56219	Council Gift Fund	4/5/2016		\$60.00
56220	Dept of Labor & Industries	4/5/2016		\$2,411.90
56221	Dept of Retirement Systems	4/5/2016		\$11,048.02
56222	Dept of Retirement Systems Def Comp	4/5/2016		\$1,425.00
56223	Massmutual Retirement Services	4/5/2016		\$750.00
56224	Teamsters Local #58	4/5/2016		\$195.00
79575	Long Beach Commercial Security	4/4/2016		\$130.68
79576	Pacific County Auditor	4/4/2016		\$33.00
79577	Tangly Cottage Garden	4/4/2016		\$1,332.57
79578	Kitzman, Mike	4/4/2016		\$403.00
79579	Zuern, Donald	4/4/2016		\$587.79
79580	Peninsula Visitors Bureau	4/7/2016		\$15,450.00
79581	Skipanon Marine & RV Supply	4/7/2016		\$783.50
79582	Sam Burton Designs	4/11/2016		\$545.00
79583	Mortenson, Tim	4/11/2016		\$107.00
79584	Daulton, Alan	4/13/2016		\$185.10
79585	Warner, Ralph	4/13/2016		\$185.10
79586	Aiken, James	4/13/2016		\$21.71
79587	Lopez, Daniel	4/13/2016		\$32.57
79588	Luce, Tasha	4/13/2016		\$10.86
79589	Nagy, Brandon	4/13/2016		\$32.57
79590	Phillips, John	4/13/2016		\$54.29
79591	Williams, David	4/13/2016		\$228.00
79592	Loyalty Days	4/13/2016		\$450.00
79593	Wright, Flint	4/13/2016		\$69.00
79594	Airgas USA LLC	4/15/2016		\$30.54
79595	AlSCO-American Linen Div.	4/15/2016		\$121.20
79596	Archaeological Investigations Northwest, Inc.	4/15/2016		\$7,332.07
79597	Astoria Janitor & Paper Supply	4/15/2016		\$1,980.87
79598	Backflow Management Inc	4/15/2016		\$2,400.00
79599	Bailey's Saw Shop	4/15/2016		\$428.10
79600	Beacon Athletics	4/15/2016		\$25.00
79601	Borchard, Gayle	4/15/2016		\$37.76
79602	BSK Associates	4/15/2016		\$973.50
79603	C - More Pipe Services	4/15/2016		\$12,508.30
79604	Cartomation, Inc	4/15/2016		\$500.00
79605	Cascade Columbia Distribution CO	4/15/2016		\$187.46
79606	CenturyLink	4/15/2016		\$1,218.27
79607	Chemtrac Systems, Inc	4/15/2016		\$880.00
79608	Chinook Observer	4/15/2016		\$63.30
79609	Clatsop Power Equipment	4/15/2016		\$60.00
79610	Coast Rehabilitation Services	4/15/2016		\$292.00
79611	CURRAN-MCLEOD, INC	4/15/2016		\$7,374.00

Number	Name	Entry Date	Clearing Date	Amount
79612	DAVIS WRIGHT TREMAINE LLP	4/15/2016		\$12,570.28
79613	Day Wireless Systems	4/15/2016		\$831.60
79614	Dennis Company	4/15/2016		\$651.17
79615	Dept of Ecology	4/15/2016		\$8,440.19
79616	Ellyson, Sue	4/15/2016		\$17.94
79617	Englund Marine Supply	4/15/2016		\$687.26
79618	Evergreen Septic Inc	4/15/2016		\$267.00
79619	Evergreen Septic Pumping LLC	4/15/2016		\$1,260.27
79620	GE Analytical Instruments, Inc	4/15/2016		\$654.52
79621	Group Tour Media	4/15/2016		\$600.00
79622	Hach Company	4/15/2016		\$361.99
79623	Interstate Battery	4/15/2016		\$498.39
79624	K & L Supply, Inc.	4/15/2016		\$589.77
79625	Lakeside Industries, Inc.	4/15/2016		\$523.75
79626	MAC TOOLS	4/15/2016		\$87.23
79627	MityLite Inc.	4/15/2016		\$301.73
79628	North Central Laboratories	4/15/2016		\$148.10
79629	Ocean Beach Medical Clinic	4/15/2016		\$69.00
79630	Oman & Son Builders	4/15/2016		\$1,377.20
79631	One Call Concepts, Inc.	4/15/2016		\$31.68
79632	Pacific County Sheriff's	4/15/2016		\$17,309.25
79633	Peninsula Sanitation	4/15/2016		\$1,054.47
79634	Peninsula Visitors Bureau	4/15/2016		\$15,450.00
79635	Penoyar, William	4/15/2016		\$1,000.00
79636	PND Engineers, Inc	4/15/2016		\$106,734.98
79637	Porter Foster Rorick LLP	4/15/2016		\$6,970.00
79638	Public Utility District 2	4/15/2016		\$1,943.12
79639	SA-SO	4/15/2016		\$5,911.20
79640	Sid's Iga	4/15/2016		\$18.47
79641	Solutions Yes	4/15/2016		\$118.05
79642	STAPLES ADVANTAGE	4/15/2016		\$436.45
79643	SUNSET AUTO PARTS, INC	4/15/2016		\$463.86
79644	Total Battery & Auto	4/15/2016		\$159.24
79645	U.S. Cellular	4/15/2016		\$364.05
79646	Visa	4/15/2016		\$2,724.74
79647	Vision Municipal Solutions	4/15/2016		\$331.84
79648	Wadsworth Electric	4/15/2016		\$4,203.10
79649	Western Display Fireworks	4/15/2016		\$4,500.00
79650	Wilcox & Flegel Oil Co.	4/15/2016		\$1,351.13
79651	World Kite Museum	4/15/2016		\$1,253.84
	Total		Check	\$349,989.31
	Grand Total			\$349,989.31

TAB - C



**CITY COUNCIL
AGENDA BILL
AB 16-19**

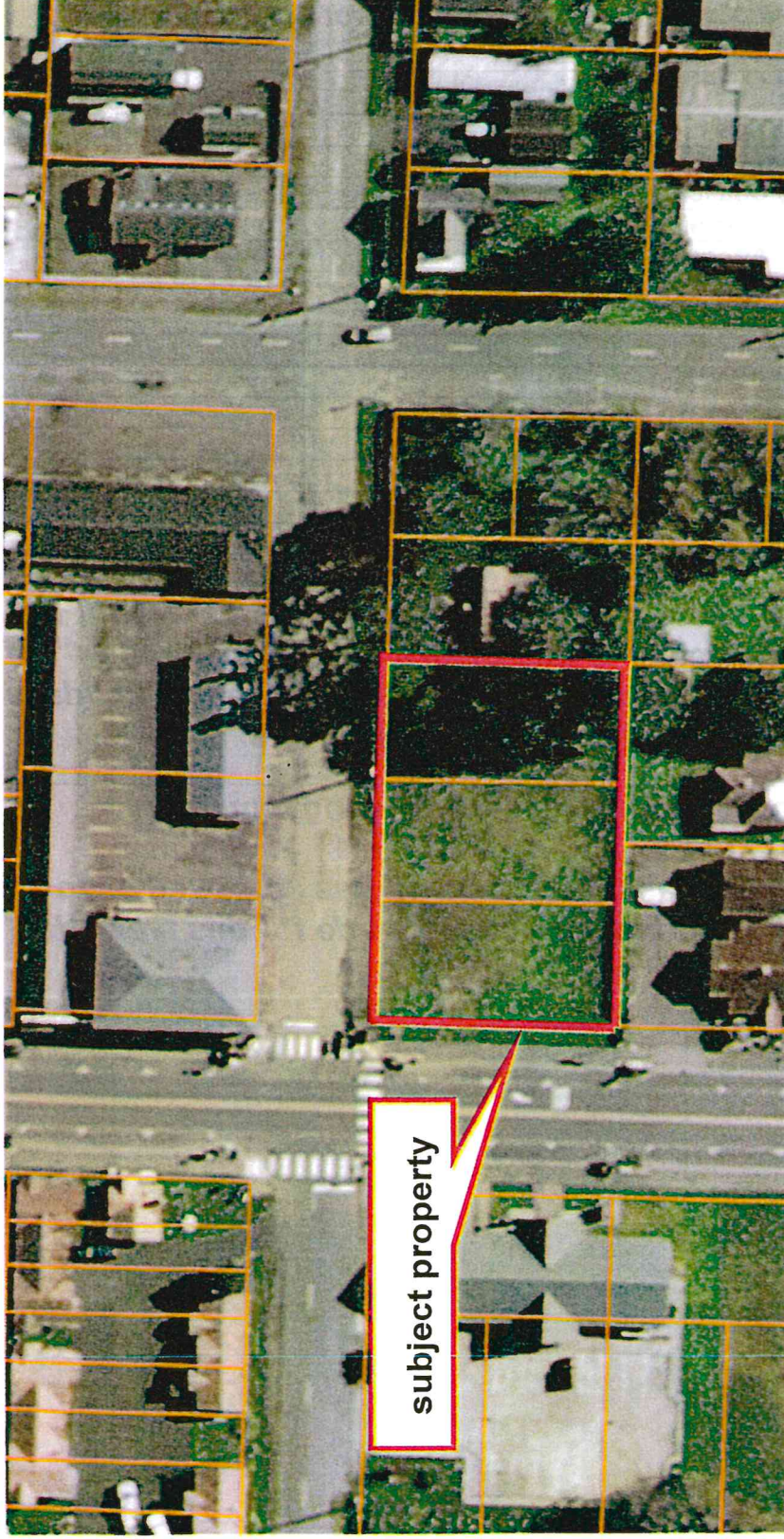
Meeting Date: April 18, 2016

AGENDA ITEM INFORMATION

AGENDA ITEM INFORMATION	
SUBJECT: Case No. SUP 2016-02 Request by Brooke Ostgaard for Outdoor Vending of Fireworks for July 2016 and December 2016–January 2017	Originator:
	Mayor
	City Council
	City Administrator
	City Attorney
	City Clerk
	City Engineer
	Community Development Director
	Finance Director
	Fire Chief
	Police Chief
	Streets/Parks/Drainage Supervisor
	Water/Wastewater Supervisor
COST: N/A	Other:

SUMMARY STATEMENT: *Attached is a request for a fireworks stand for Ms. Brooke Ostgaard dba Thunder Fireworks and Jake's Fireworks for the 4th of July and New Year. Ms. Ostgaard has sold fireworks on these two holidays for several years, and has been a good vendor – no problems.*

RECOMMENDED ACTION: *Approve SUP 2016-02 allowing temporary outdoor merchandising in the OT zone and declare the 4th of July as a festival for fee purposes. [Note: In past years Council has approved up to four (4) such stands. This is the second application made for this fireworks season.]*



Case No. SUP 2016-02

Location Map

Brooke Ostgaard dba Thunder Fireworks and Jake's Fireworks
101 7th Street-southeast - corner of 7th SE and Pacific Highway South
Special Use Permit: Fireworks Stand in the OT Zone



FIRE PROTECTION BUREAU
FIREWORKS LICENSING PROGRAM
PO Box 42600
Olympia WA 98504-2600
(360) 596-3914 FAX: (360) 596-3934



APPLICATION
FOR RETAIL FIREWORKS STAND PERMIT

TO	Governing body of city, town, or county in which fireworks stand will be located.	DATE OF APPLICATION	1/29/16
Applicant Name Brooke Ostgaard		Address, City, State 3757 N. Wenas Rd Selah, WA	
Sponsor (If other than applicant)		Address, City, State	
Location of proposed fireworks stand [Enclose drawing of stand location] 101 7th St. SE Long Beach, WA			
Manner and place of storage prior, during, and after sales dates Thunder Fireworks - 187th St. E Tacoma, WA 98446			
State-Licensed Fireworks Supplier Thunder Fireworks and Jake's Fireworks			

FIREWORKS STAND PERMIT

For the Fireworks Sales Year of: _____
(Must be conspicuously displayed at all times while the stand is open to the public)

By virtue of having been granted a license by the State of Washington and this permit from _____ as the local governing authority, the named person, firm or organization is hereby authorized to sell U.N. 0336 1.4G Consumer fireworks at the location designated herein between the following date and times:

Sales for July 4th

Sales for December 31st

From: _____

From: _____

To: _____

To: _____

Sponsor _____

Location _____

/s/ _____ /s/ _____
Signature of Official Granting Permit Signature of Applicant

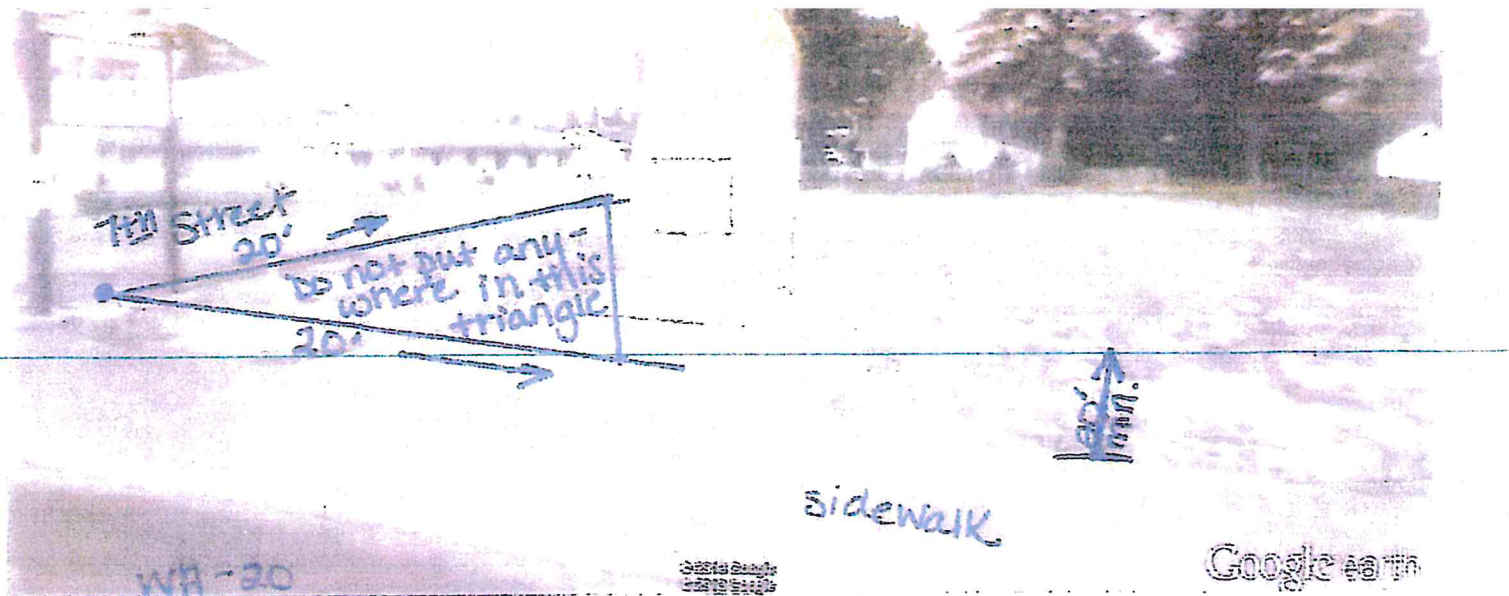
Title _____ Agency _____

Date _____ Permit Number _____

Licensee Name _____ License Number _____



Location Map
Brooke Ostgaard dba Thunder Fireworks and Jake's Fireworks
101 7th Street-southeast - corner of 7th SE and Pacific Highway South
Special Use Permit: Fireworks Stand in the OT Zone



- minimum 20' off of 7th Street
- minimum 20' off of WA-20 (Main Street)
- Do not block visibility off of 7th Street
- Try to put in the same spot as it has been in previous years. I am sending a picture of that as well.

Address: 101 7th St. SE
Long Beach, WA

This diagram is what I send to my guys who set-up my tent. Let me know if you need something else.



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

2/2/2016

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an **ADDITIONAL INSURED**, the policy(ies) must be endorsed. If **SUBROGATION IS WAIVED**, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER
Arthur J. Gallagher Risk Management Services, Inc.
777 108th Ave NE, #200
Bellevue WA 98004

CONTACT NAME: Joanne Manion
PHONE (A/C, No, Ext): 425-454-3386 **FAX (A/C, No):** 425-451-3716
E-MAIL ADDRESS:

INSURER(S) AFFORDING COVERAGE **NAIC #**
INSURER A: T.H.E. Insurance Company 12866

INSURED **THUNFIR-01**
Thunder Fireworks, Inc.
5207 187th Street E.
Tacoma WA 98446

INSURER B:
INSURER C:
INSURER D:
INSURER E:
INSURER F:

COVERAGES**CERTIFICATE NUMBER:** 1746363263**REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:			CPP010389802	11/15/2015	11/15/2016	EACH OCCURRENCE \$1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$100,000 MED EXP (Any one person) \$Excluded PERSONAL & ADV INJURY \$1,000,000 GENERAL AGGREGATE \$Not Applicable PRODUCTS - COMP/OP AGG \$2,000,000 \$
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
A	<input type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> DED <input checked="" type="checkbox"/> RETENTION \$0			ELP001151002	11/15/2015	11/15/2016	EACH OCCURRENCE \$9,000,000 AGGREGATE \$9,000,000 \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N	N/A				<input type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Location: 101 7th Street SE, Long Beach, WA 98631
The City of Long Beach and Coastal Inn, LLC (property owner) are included as additional insureds as respects general liability but only as respects the operation of the named insured per policy terms and conditions - policy form CG133F 07/95.

CERTIFICATE HOLDER**CANCELLATION**

City of Long Beach
115 Bolstad Avenue West
Long Beach WA 98631

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

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TAB - D



**CITY COUNCIL
AGENDA BILL
AB 16-20
Meeting Date: April 18, 2016**

AGENDA ITEM INFORMATION

**SUBJECT: Resolution
2016-06 Authorizing
Council Members to
volunteer in the Fire
Department**

Originator:

Mayor

City Council

City Administrator

DG

City Attorney

City Clerk

City Engineer

Community Development Director

Fire Chief

Police Chief

Streets/Parks/Drainage Supervisor

COST: N/A

Water/Wastewater Supervisor

Other:

SUMMARY STATEMENT: RCW 35A.11.110 requires that members of the city council are approved to serve as members of the Long Beach Volunteer Fire Department. This hasn't been an issue for many years, until volunteer fire fighter Tye Caldwell was elected last year. This resolution would allow Councilman Caldwell to continue his volunteer service.

RECOMMENDED ACTION: *Unanimously adopt resolution 2016-06*

Resolution 2016-06

WHEREAS, it has been established previously hereto that a person may not serve both as a volunteer fireman and as a City Council member at the same time unless a resolution has been adopted by unanimous vote of the entire City Council specifically authorizing said person or persons to simultaneously hold both positions, and

WHEREAS, a City Council member acting in the capacity, to wit: Tye Caldwell, also wishes to serve the town as a volunteer fire fighter, and

WHEREAS, it is in the best interest of the City that said Council member serve in both capacities simultaneously,

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Long Beach, that Tye Caldwell serve as both a city council member and a volunteer fire fighter for the City of Long Beach simultaneously.

Passed this 16th Day of April, 2016

AYES _____ NAYES _____ Absent _____

Mayor Phillips

Attest:

Helen Bell, Clerk

TAB - E



**CITY COUNCIL
AGENDA BILL**

AB 16-21

Meeting Date: April 18, 2016

AGENDA ITEM INFORMATION

***SUBJECT: Skate park
location discussion***

Originator:

Mayor

City Council

City Administrator

City Attorney

City Clerk

City Engineer

Community Development Director

Fire Chief

Police Chief

Streets/Parks/Drainage Supervisor

Water/Wastewater Supervisor

Other:

DG

COST: N/A

SUMMARY STATEMENT: The city council had a workshop March 18, 2016 and discussed possible locations for a skate park. Generally, the city property at 7th Street South and Shoreview Drive seemed like a viable option. For Councilman Murry to start fundraising, he needs an official consensus that this location is preferred by the council.

RECOMMENDED ACTION: Designate the city property at 7th South and Shoreview drive as the future location of a new skate park.

TAB — F

Proclamation

To acknowledge Benjamin Franklin for attending the 2016 Loyalty Days Celebration here on the Long Beach Peninsula.

Whereas, Benjamin Franklin has been invited as an honored guest of the City of Long Beach; and

Whereas, he has visited all the local schools and helped to educate our local school children about his service to his country; and

Whereas, he has visited and made an appearance at the World Kite Museum and Hall of Fame in Long Beach, WA; and

Whereas, we now have electricity due to his experimental kite flying experience

Whereas, he has now visited the world's longest kite flying beach; and

Whereas, he is a loyal Patriot that has celebrated Patriotism for the last three hundred and ten years (310); and

Whereas, we hope that he will come back to fly kites on the Long Beach Peninsula in the future; and

Now, therefore, in appreciation, be it resolved by the City of Long Beach as follows:
That Mr. Benjamin Franklin is hereby proclaimed a welcome guest to the Long Beach Peninsula now and in the future.

Date

Signed by

Attested by

TAB — G

Long Beach Police

P.O. Box 795
Long Beach, WA 98631

lbpdchief@centurytel.net

Phone 360-642-2911
Fax 360-642-5273

04-01-16

Page 1 of 4

To: Mayor Phillips and Long Beach City Council

From: Chief Flint R. Wright

Ref.: Monthly Report for March 2016

During the month of March the Long Beach Police Department handled the following cases and calls:

Long Beach

622 Total Incidents

Aid Call Assists: 8

Alarms: 9

Animal Complaints: 1

Assaults: 6

Assists: 100

(Includes 13 Law Enforcement Agency Assists Outside City Boundaries)

Burglaries: 1

Disturbance: 15

Drug Inv.: 7

Fire Call Assists: 6

Follow Up: 109

Found/Lost Property: 5

Harassment: 11

Malicious Mischief: 5

MIP – Alcohol: 0

MIP – Tobacco: 0

Missing/Found Persons: 1

Prowler: 0

Runaway: 0

Security Checks: 173

Suspicious: 26

Thefts: 10

Traffic Accidents: 5

Traffic Complaints: 22

Traffic Tickets: 22

Traffic Warnings: 42

Trespass: 13

Warrant Contacts: 10

Welfare Checks: 15

Ilwaco

448 Total Incidents

Aid Call Assists: 1

Alarms: 5

Animal Complaints: 1

Assaults: 4

Assists: 56

Burglaries: 0

Disturbance: 7

Drug Inv.: 1

Fire Call Assists: 0

Follow Up: 62

Found/Lost Property: 2

Harassment: 2

Malicious Mischief: 1

MIP – Alcohol: 0

MIP – Tobacco: 0

Missing/Found Persons: 0

Prowler: 0

Runaway: 0

Security Checks: 257

Suspicious: 9

Thefts: 2

Traffic Accidents: 1

Traffic Complaints: 9

Traffic Tickets: 4

Traffic Warnings: 16

Trespass: 3

Warrant Contacts: 1

Welfare Checks: 4

On March 1st I attended a law enforcement planning meeting to discuss the upcoming July 4th celebrations. All I can say at this point is law enforcements intention is to stop the camping on the beach through education, outreach to visitors and low key enforcement. How that all looks waits to be seen.

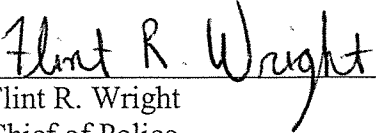
On the 24th Officer Jeff Cutting attended training. The training dealt with risk management issues. Some of the topics covered included the cause of tragedies in any profession, the five concurrent themes for success and operational risk management.

I gave a presentation to two different groups of students at our local Head Start. I talked about what a police officer does and about "stranger danger" awareness. I also showed them my patrol vehicle. This was done March 25th.

The department had firearms range training on the 29th. We trained with our patrol rifles and shotguns.

Loretta attended training on the 31st. The class was put on by the Washington State Patrol and was titled "Terminal Agency Coordinator" training. The training is required every two years and deals with the use of our departments "Access" terminal computer which is used for drivers checks, warrant checks and other state records checks.

Attached is an email that I received from Prosecutor Mark McClain on Officer Rodney Nawn and the letter of commendation that I awarded to Officer Nawn. Officer Nawn is a credit to the cities of Long Beach and Ilwaco and I am proud to have him in my department.



Flint R. Wright
Chief of Police

Flint Wright

From: Flint Wright
Sent: Monday, March 28, 2016 10:18 AM
To: Casey Meling; David Tobin; Jeff Cutting; Jerry Phillips; Holli Kemmer; Del Murry; David Glasson; Loretta Ostgaard; Michael Parker; Natalie Hanson; Rodney Nawn; Steven Linhart; Tim Mortenson
Subject: FW: Superior Court March 25, 2016

I wanted all of you to see this from the prosecutor. Rodney did an outstanding job on this and I really appreciate it. When you see Rodney take the time to tell him "job well done". A bad guy is where he belongs because of his initiative and hard work.

Chief Wright

From: Mark McClain [mailto:mmcclain@co.pacific.wa.us]
Sent: Friday, March 25, 2016 7:20 PM
To: Flint Wright <fwright@longbeachwa.gov>
Subject: FW: Superior Court March 25, 2016

I don't know if they put these things in the paper down there, but I wanted you to know that I appreciated the work from your guys on this case. 5 years in a nice length of time.

From: Mark McClain
Sent: Friday, March 25, 2016 7:18 PM
Subject: Superior Court March 25, 2016

Michael D. Warner, 36, of Long Beach was sentenced to 60 months in prison for possession of methamphetamine with intent to deliver. On March 6, 2016 Officer Rodney Nawn of the Long Beach Police Department observed Warner, who Nawn knew to have a felony warrant, run from a vehicle and hide next to the balcony by a Shoreview Drive apartment. Nawn was able to take Warner into custody and located a methamphetamine pipe and four baggies of methamphetamine along with a baggie of suspect heroin. Nawn also located two cell phones. "Because of Officer Nawn's diligent work in obtaining a warrant and locating information which indicated Mr. Warner was a drug dealer, we were able to charge Mr. Warner with intent to deliver the methamphetamine rather than simple possession," said Mark McClain, Pacific County Prosecutor. This meant that rather than facing just over a year in jail on a class B felony, Warner faced a class B felony and a much longer prison sentence. "The only way we were able to truly protect our community from this drug dealer, was because Officer Nawn's work in obtaining a search warrant and really finding the evidence, and then us not being afraid to hold Warner to this higher offense," added McClain. After release from prison, Warner will be on continued supervision with the Department of Correction for a year and he will be required to complete drug treatment.

Long Beach Police

P.O. Box 795
Long Beach, WA 98631

lbpdchief@centurytel.net

Phone 360-642-2911
Fax 360-642-5273

Memo

03-28-16

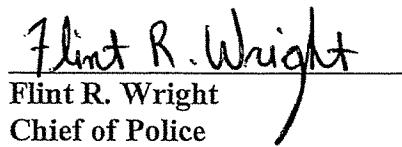
To: Officer Rodney J. Nawn

From: Chief Flint R. Wright

Ref.: Letter of Commendation

Officer Nawn I wanted to formally commend you for your actions with regards to the arrest of Michael Warner. It was because of your hard work and dedication to service that Mr. Warner is in prison where he belongs. You showed that you are more than willing to go the extra mile to make an arrest and a solid case and because of that a drug dealer is off our streets.

Please accept this formal commendation for a job well done. You are a credit to your uniform and badge and to the Long Beach Police Department.


Flint R. Wright
Chief of Police

Media visit: Marissa Pedersen

Earned media: Washington Coast Magazine (cover and feature), Seattle Met (feature), Tacoma News Tribune, Northwest Travel and Life, Peninsula Daily News, Stormwatch Outposts, King5.com, Northwest Cable News, Seattle Times, Peninsula Daily News, Examiner.com, The Register-Guard (Eugene), Parent Map Magazine, Onlyinyourstate.com x 2, Seattle Times, Coast Explorer, The Daily News, Parachute Mapquest, KXRO News Radio, Everett Herald, Washington Beer Blog, Valerie & Valaise, NPR Business Family,

Visitors Center – 1363 visitors in Mar. which is down considerably from 2015, but the second highest March on record and the second highest first quarter. **Distribution** - over 3,459 pieces

Tourism Metrics

Lodging tax collections reported for unincorporated Pacific County for March is up 13% over March of 2015. Ytd up .5% over 2015.

Lodging tax collections reported for the City of Long Beach for March is up 3% over March of 2015, ytd up about 6% over 2015.

City of Ilwaco lodging tax collections reported for March is down slightly from March of 2015, ytd up 13% over 2015.

Promotion:

Selected as 1 of 5 nominees for 2016 Sunset Travel Awards "Best Beach Town"

Exhibited at consumer direct trade show on March 9 & 10 in Seattle.

Attended Destination Marketing Association West Technology Summit March 16-18. Co-presented case study of using technology to market a small rural destination.

Attended Travel Portland's Marketing Seminar on March 3

Workshop with Pacific County Commissioners regarding DMO work and funding

Coordination, design, placement for full page ad and contest prize package for AAA Journey

Membership:

Currently 306 members.

Organized and hosted "Food Collaborative" on March 30

Coordinated "All About Black Lake" informational hike in Ilwaco

Attended and presented at Tokeland North Cove Chamber of Commerce March 8

Currently partnering with beachdog.com for 2016 Beach Guest Directory

Industry partnership/promotion/advocacy:

Legislative outreach for WTA funding

Hosted Publisher/editor Scenic WA Travel Guide and state map

Washington State Destination Marketing Organization board meeting, conference with Dean Runyan Associates regarding tourism economic impact reporting

LBPVB –Monthly Destination Marketing Report Mar. 2016

Web Traffic: Visits -35,769 up 10% over month prior. Unique Visitors – 25,312, up 11% over month prior. Total hits – 103,584 up 8% over month prior. New blogs – 4 Member referrals in Mar. – 14,000

Social Media :

Facebook: * 9,091 likes as of 4-1-16. Increase of 182 in Mar.

Top posts in March:

1. "Look who joined the party on the beach..." 3.29.16 (20,387 reached) Photo of deer and an eagle on beach.
2. "The Astoria-Megler Bridge turns 50..." 3.22.16 (9,509 reached)
3. "Looks like even the wildlife can't resist..." 3.29.16 (8,936 reached)
4. "Historic Cape Disappointment..." 3.7.16 (7,877 reached)

Twitter: * 958 followers as of 4-1-16

* Total January impressions: 22,300

Instagram: * 566 followers as of 4-1-16

- Increase of 22 in March (good)

- Other monthly gains:

- 18 in February

- 16 in November

- 29 in January

- 11 in October

- 22 in December

Consumer Direct E-Newsletter * Mar. e-news delivered to 12,766 contacts

- Opened by 16.58%. (17.03% in Feb.; 17.94% in Jan.)

- Clicked on by 12.48% (18.43% in Feb.; 23.41% in Jan.; 14.78% in Dec)

Public Relations

Press releases:

The Long Beach Peninsula's Shelburne Inn Celebrates 120 Years This Year With Events Throughout 2016

<https://funbeach.com/press/the-long-beach-peninsulas-shelburne-inn-celebrates-120-years-this-year-with-events-throughout-2016/>

Long Beach Peninsula Visitors Bureau Announces Five Standout Beach Events For 2016

<https://funbeach.com/press/long-beach-peninsula-visitors-bureau-announces-five-standout-beach-events-for-2016/>

LONG BEACH GENERAL BUSINESS

New Application / Final

Business Structure: LLC

UBI Number : 603 605 673 001 0001
Application ID : 2016 097 3758

Legal Entity Name : THUNDER BAY CAPITAL, LLC

Application Received Date: 04 06 2016

Firm Name : THUNDER BAY CAPITAL, LLC

Fees: \$125.00
Expiration Date: 04 30 2017

Location Phone/FAX: (360) 980-6999 (000) 000-0000

First Date of Business: 05 01 2016

Email Address: leeferryman1@gmail.com

Location Address : 41510 NE COLUMBIA TIE RD
AMBOY WA 98601 3861

Mail Addr: 9112 NE 25TH AVE # 1959
VANCOUVER WA 98665 9058

In City Limits: N Number of employees at this location: 1

Product/Serv Desc: Services PROPERTY MANAGEMENT & CONSULTING

Operator Comments: LANGUAGE ASSIST(Y/N): Y ENGLISH

Previous Business License: N

Applying as Nonprofit Business: N

Account Status: Pending Approval

Zoning	NA	CP	4/7/16	Fire		Date	
Building				Police		Date	
Finance				Planning		Date	
Comments:							

in BUS 4/7/16

April 6/2016

City Council of Long Beach
Washington


Re: Trees on city property, in
front of my lot on 9th Street NO,
Long Beach, WA.

I was told city maintains the
property & if I propose to have
it done myself w/a contractor
that you approve & follow your
instructions I could clear them
& pull out.

My home is Storme Gregoris
PO Box 1397 Long Beach WA
98631 360 455 4444 or
you can let Mary Kay know

702 749 0345, no one can
ever read.

Thank you doing your
your time & trouble on this matter.

 Storme



This innocuous-looking sign took the town of Gilbert and Good News Community Church all the way to the Supreme Court.

Sign of the Times

The Supreme Court weighed in on signs last summer, but for planners those regulations are always on the docket. By Bridget Mintz Testa

IMAGINE A TOWN or a city without signs. Visitors would have no way of knowing where they were. In even a moderate-sized town, much less a bustling city, no one could find their way to a destination. Businesses and organizations couldn't advertise their locations, products, or services. ¶Without signs, towns and cities would be mute. Signs are necessary to commerce, wayfinding, culture, the arts—all aspects of modern life. ¶Yet signs can cause problems, too. They can be too bright, too big, too distracting. That's where sign ordinances come in: They aim to regulate signs in ways that are acceptable to both sign owners and viewers. ¶Gilbert, Arizona, learned that local efforts to create workable sign ordinances don't always succeed. But they often do, as shown by examples from Columbus, Ohio, and Tucson, Arizona.

Temporary sign, permanent consequences

In 2007, when Gilbert, Arizona—home to 240,000 people—first defended itself against a lawsuit pertaining to a temporary sign, it's safe to assume that nobody involved ever dreamed that the case would make it all the way to the U.S. Supreme Court. But after Gilbert won several times in lower courts, it finally lost the case last June in the country's highest court.

The Court ruled that the town's sign ordinance regulating temporary directional signs was based on content. And that, the justices ruled unanimously, is a clear violation of freedom of speech. (See "Sign Regulation Just Got More Complicated," October 2015: tinyurl.com/ztwdydr.)

Clyde Reed, pastor of the Good News Presbyterian Church (usually referred to as Good News Community Church), brought the lawsuit. The church had no permanent facility, so members met in various town locations. Gilbert's sign ordinance allowed temporary directional signs for nonprofit events, such as the church's meetings, to be posted 12 hours prior to a meeting. They had to be removed an hour or two after the event. Such temporary signs could not be placed in a road right-of-way, and the size limit was six square feet.

However, according to Michael Hamblin, attorney for the town, political signs, governed by both a state law and an identical town ordinance, could be up to 32 square feet in size. They could remain in a road right-of-way for 60 days prior to an election and up to 15 days postelection. Home owners associations could also erect signs on weekends on nearby farmland to provide directions to new developments.

After receiving citations for posting signs a day ahead of services, Reed sued the town. The basis of the suit was that the sign ordinance was a content-based regulation and thus violated the First Amendment's guarantee of freedom of speech, according to Sigrid Asmundson, a lawyer in Best, Best & Krieger's Municipal Law practice group in Sacramento.

"Signs are subject to 'strict scrutiny'—the highest kind of scrutiny," she says. "Under strict scrutiny, a sign ordinance must further

a compelling government interest and must be narrowly tailored to that interest.”

The town argued that its compelling government interests for the ordinance were preserving the town’s aesthetics and ensuring traffic safety. The Supreme Court dismissed these arguments. Hamblin is now reviewing and amending Gilbert’s entire sign code. Once Hamblin completes his work, the amended code will go to the planning commission and then the town council for approval.

“This was a case of benign regulation—the town was trying to describe a sign category, and it’s difficult to do that without mentioning the sign’s content because they describe events,” says Daniel R. Mandelker, Stamper Professor of Law at the Washington University School of Law in St. Louis. Despite such benign intent, “the gist of the [Supreme Court] ruling is that signs that regulate content are not acceptable,” he says.

The ruling puts “almost every sign ordinance in the country under threat today,” Mandelker adds. “The ruling makes it difficult to make distinctions between different types of signs, such as political and message types. Sign regulations have always made distinctions between on-premise and off-premise types, commercial and noncommercial types. Now even these distinctions could be attacked by the sign industry. Many ordinances define signs by what they say, as with real estate and construction signs. [A company] can challenge billboard provisions and then as part of the suit, challenge other parts of the ordinance. It could get part of the ordinance thrown out and then possibly all of the ordinance.”

In short, Mandelker says: “Expect litigation about signs.”

Cursing brightness

In Columbus, Ohio, people were complaining about off-premise, brightly-lit signs with changing copy, also known as electronic message centers. “The signs created distractions because of their brightness and the speed of the change of messages,” says Lisa Russell, a planner who works on zoning code development for the city. “Most of the complaints involved on-premise signs facing streets,” she says. Russell cited an auto dealership EMC facing an intersection as an example of the type of sign they were dealing with. “The image flashed, the copy changed and scrolled, and it was very bright,” she says. “Other signs were visible from the freeways, and freeway drivers complained.”

In 2009 and 2010, off-premise signs like billboards had dwell times for messages, but on-premise signs didn’t. In 2011, the department of building and zoning began holding meetings with staff and representatives of the sign industry to discuss changes to the city’s graphics code. “City officials had asked that the issue be addressed,” Russell says.

Initially, the plan was to work through the entire graphics code. The code was so long, and the list of recommended changes was so extensive, that “we decided to limit the changes to automatic changeable copy,” Russell says. Even so, the meeting group “didn’t want to write a code that couldn’t be enforced,” she adds. “So before finalizing the code and the method, we knew we should test it ourselves.”

The stakeholder group included a community group representative who was also an architect who focused on lighting, a member of the International Sign Association, a sign manufacturer, and others with technical lighting knowledge. “The sign industry stakeholders did fieldwork with us,” Russell says. “They showed the planners and code enforcement how to measure brightness.”

Two methods were examined: lumens and foot-candles. The foot-candle method was chosen “because it better corresponded to human vision, was preferred by industry, was more accurate and was more affordable,” she says.

It was also much more feasible, for a couple of reasons. The lumen method required the measurement device to be at eye level in front of a sign—difficult to do in the case of an actual complaint lodged about a sign surrounded by an eight-foot chain-link fence. The foot-candle method didn’t require that.

The foot-candle method also allowed sign brightness to be compared to ambient light as if the sign illumination was off, even when it was on. This was achieved by blocking the sign when ambient light measurements were taken. And once the measurements were taken, sign owners could easily adjust a sign’s brightness.

Even after the sign industry stakeholders showed the planners and code enforcement how to measure brightness with the foot-candle method, the building and zoning department wanted to make sure they could perform the measurements without help. “We went out by ourselves without the sign industry rep to make sure we could do it ourselves,” Russell says.

Why go to so much trouble when the sign owner could just be asked to turn the sign off? “Complaints are anonymous,” she says. “Following a complaint, if the test shows the sign is not too bright, then the case is simply closed. If the sign is too bright, then the sign owner is notified.”

The foot-candle measuring device was purchased for approximately \$150, versus a cost of roughly \$2,000 for a lumen meter.

And after 18 months of code development work, Columbus changed its code to include the foot-candle measuring technique. The new brightness and automatic copy limits include an eight-second hold time on images, a brightness limit of 0.3 foot-candles above ambient light for static images, instantaneous transitions from one static display to another,

and automatic dimming technology that keeps the brightness within the 0.3 foot-candle limit.

"Complaints have gone down," Russell says. "Code enforcement has used the measuring technique twice since the ordinance was approved on July 29, 2014."

Neon city

Back in the 1950s, the diving girl neon sign alerted weary travelers in downtown Tucson to the Pueblo Hotel and its welcoming rooms, apartments, "refrigerated air," and swimming pool. By the 2000s, the diving girl, clad in a green two-piece bathing suit with white polka dots, was in bad shape. The diving girl was just one of many neon signs, icons of mid-century Tucson, that welcomed tourists.

The 21st century owner of the old Pueblo Hotel, the Piccarreta Davis law firm, spent a half million dollars renovating the building. The firm also wanted to adaptively reuse the diving girl sign for its historic significance and aesthetics.

But the diving girl broke too many rules to get an adaptive reuse permit, according to "Tucson's Historic Landmark Sign Ordinance," a 2012 article in APA's Urban Design and Historic Preservation newsletter written by James Carpentier, AICP, manager of state and local government affairs with the International Sign Association. He wrote that she was located in a right-of-way; exceeded the maximum height of 12 feet; failed to meet the required setback; was a pole sign in a pedestrian area where such signs were forbidden; and couldn't become a ground sign because they weren't allowed either. If the sign was taken down for repairs, it could not be put back up. "Denying the permit helped to set about a process that led to a lengthy discussion about the iconic images of the city's past, and whether they were worth preserving," Carpentier wrote. That process led the city to develop a Historic Landmark Sign Code designed to preserve such irreplaceable old signs.

The process began in 2009, with a call for a committee to come up with code to allow signs like the diving girl to be preserved. "The committee was made up of property owners, preservationists, and property managers," says Glenn Moyer, AICP, Tucson's sign code administrator. "The preservationists were interested in more than just signs, and the property owners and managers saw an opportunity to get better use out of their properties."

The community's perception of these large old signs in states of disrepair had evolved from "eyesores" to "historic treasures" that contributed to the unique visual character of the city," says Jonathan Mabry, the city's historic preservation officer. But many of them were "dead signs," advertising businesses that were no longer there, and the sign code did not allow current businesses to put their names on them. Mabry pointed out to the committee that,

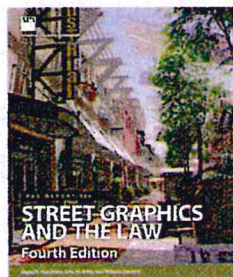


The iconic diving girl sign on the old Pueblo Hotel in Tucson has been restored and retrofitted to include the name of the law firm that now owns the building.





The chubby chef on the sign above Caruso's, a family-owned restaurant in Tucson since 1938, shines again thanks to the city's ordinance allowing restoration of historic neon signs. A grant from the Fourth Avenue Merchants Association helped pay for repairs.



CHANGEABLE ELECTRONIC MESSAGE DISPLAYS (below) make it easier to rotate among a series of related messages, such as this one pondering questions of modern art. From *Street Graphics and the Law, Fourth Edition* (PAS 580, 2015) by Daniel R. Mandelker, John M. Baker, and Richard Crawford. Available at tinyurl.com/h4xw5nk.

if these signs are considered to have historic value and viewed through the lens of national historic preservation standards for how buildings can be updated, minor alterations should be allowed to adapt them to advertise current businesses.

A subcommittee was also formed to develop a new historic sign code. "After 24 public meetings with the ad hoc subcommittee and others," the city council unanimously approved the Historic Landmark Sign code in June 2011, wrote Carpentier.

The code states that its explicit purpose is, in part, "to provide for the preservation of the City of Tucson's unique character, history, and identity, as reflected in its historic and iconic signs, and to restore the sense of place that existed within the central business district and in areas of the City with concentrations of surviving historic signs."

If the signs meet all the guidelines and requirements in the code, "then approval is an administrative process," Moyer says.

The code includes an incentive to preserve historic landmark signs. "The first HLS on a premise does not count toward the maximum total sign area," Moyer says. "A business can have a larger sign, with more neon, than otherwise allowed under the sign code and outdoor lighting code. Even if a sign doesn't have neon, it can still be approved if it will contribute to Tucson's unique character and historical identity." Historic landmark signs are permitted in every type of district in Tucson. "These signs are not in historic districts," he adds. "They're free-standing historic landmarks" in and of themselves.

And what of the diving girl? "Some forensic sanding was done to determine the nature of the swimsuit," Moyer says. "It's a two-piece green bathing suit with white polka dots. The sign was restored to a 1950s appearance, and the ordinance permits it to be updated to something current to the tenants using the property," meaning that the Piccarretta Davis law firm could add their name to the sign. Mabry says that two elements of the sign code change—not counting designated historic signs against the total sign allowance, and allowing minor changes to advertise current businesses—have been the most effective incentives to encourage

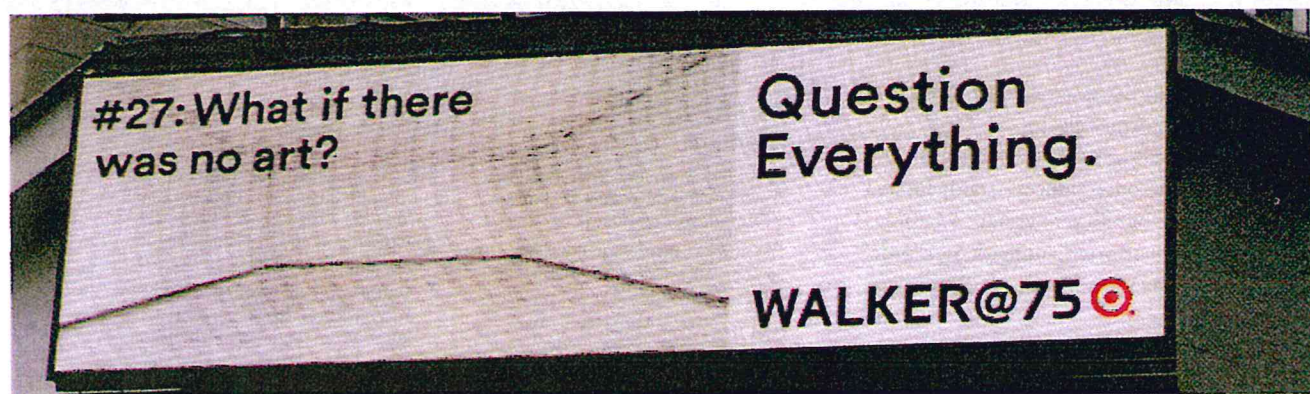
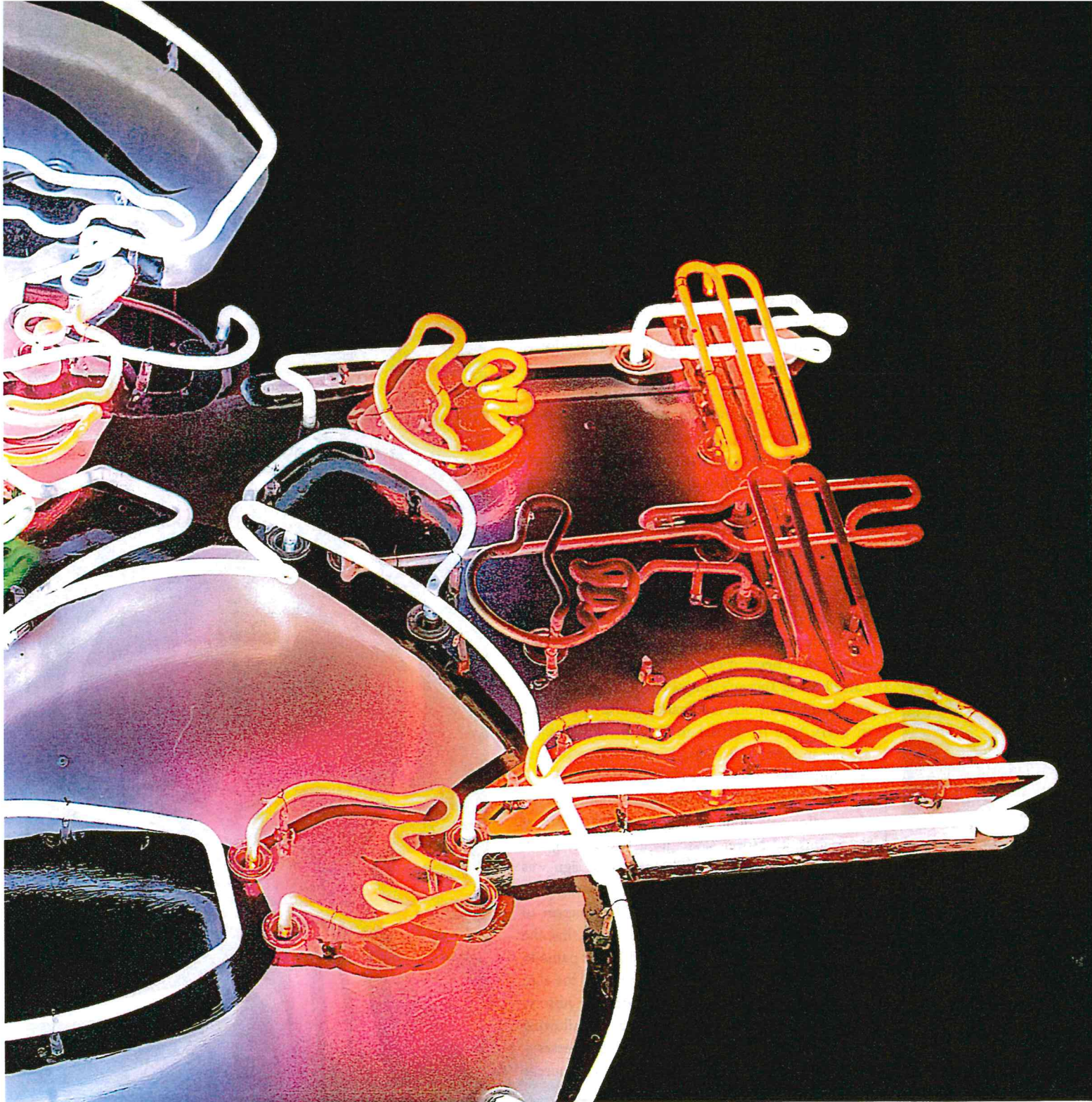


PHOTO BY MOSBY IMAGES, JOHN WAYLAND PHOTOGRAPHY



owners to go through the designation process and restore them to their former glories.

The diving girl, along with the other historic landmark signs in Tucson, produces “a fairly limited impact,” Moyer says, “but it’s very visual.” And proving the value of the Historic Landmark Sign ordinance, tourists are now coming back to Tucson just to see all that 1950s neon. ■

Bridget Mintz Testa is a Houston-based freelance writer specializing in planning, technology, and power and energy.

RESOURCES

FROM APA

APA filed an amicus brief in *Reed v. Town of Gilbert*. Read it and other information at planning.org/amicus.

“Tucson’s Historic Sign Ordinance,” by James Carpentier, AICP: tinyurl.com/zhah3pb.

ONLINE

“Bending the Rules,” by Robin Donovan: tinyurl.com/jzowl4f.

“U.S. Supreme Court Affirms That Content-Based Sign Codes Violate The First Amendment,” by Sigrid K. Asmundson and William J. Priest: tinyurl.com/zeq8bj5.

“Vintage Tucson Neon Art Walk” study, Tucson Historic Preservation Foundation: tinyurl.com/zn7n6f9.

Report: AGY064P2
710-IBL BLS020

State of Washington
Business Licensing Service
Agency Requirements Document (ARD)

Date: 04 06 2016
Page: 1

LONG BEACH GENERAL BUSINESS

New Application / Final

Business Structure: LLC

UBI Number : 603 605 673 001 0001

Legal Entity Name : THUNDER BAY CAPITAL, LLC

Application ID : 2016 097 3758

Firm Name : THUNDER BAY CAPITAL, LLC

Application Received Date: 04 06 2016

Location Phone/FAX: (360) 980-6999 (000) 000-0000

Fees: \$125.00

Email Address: leeferryman@gmail.com

Expiration Date: 04 30 2017

Location Address : 41510 NE COLUMBIA TIE RD
AMBOY WA 98601 3861

First Date of Business: 05 01 2016

In City Limits: N Number of employees at this location: 1

Product/Serv Desc: Services PROPERTY MANAGEMENT & CONSULTING

Operator Comments: LANGUAGE ASSIST(Y/N): Y ENGLISH

Previous Business License: N

Applying as Nonprofit Business: N

Account Status: Pending Approval

Zoning	<u>NA</u>	<u>CP</u>	Date	<u>4/7/16</u>	Fire	Date
Building	Date	Police	Date			
Finance	Date	Planning	Date			
Comments:						

in BLS

4/7/16

